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CESARE LOMBROSO.

A GLANCE AT HIS LIFE WORK.

ADALBERT ALBRECHT.¹

For nearly forty years now fierce controversies have raged about Lombroso, who died in Turin, October 19, 1909. He had many enthusiastic friends but still more bitter enemies and only within recent years has criticism of his life work assumed a calm and impartial character. His chief service was that he took practical hold of anthropology and was the first to build upon it a whole system in judging criminals and crimes. He started from the idea that the peculiarity of an individual can only be comprehended by studying mankind in general and that a knowledge of mankind forms the basis for the important question whether criminals are a separate class of men, included in mankind as a whole and recognizable by certain anthropological, somatic and psychic characteristics.

Naturally this view was not expressed all at one time and did not issue finished and complete from Lombroso's mind. Galenus had already emphasized the influence of alcohol on the production of criminals and was of the opinion that "they should be exterminated like vermin as they were criminals by nature and consequently should not be punished." Diderot and the encyclopedists had taken up this former view and Gall, whose importance was fully appreciated by Goethe, goes a step farther. According to him the degree of guilt and of the penalty cannot be judged by studying the offense but only by studying the offender, and it is therefore Gall whom we must look upon as the originator of the criminalistic-anthropological course. Even if after him Morel was able to declare the criminal to be a form of degeneration or a morbid variation from the normal type of mankind, yet up till then there had been practically no progress. This did not change till Lombroso, with the impetuosity peculiar to him, took hold of the movement and systematically brought new life into the theory of the criminal and the crime.

Lombroso had published his earliest investigations in the "Atti del Instituto Lombardo" from 1871-76. In 1885 he republished them in new form and under the since-famous title "L'uomo delin-

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quente." With this book he laid the foundations of the positivistic school which asserted the dangerousness of the criminal to be the only measure of the extent to which he was punishable. It declared that the conception of criminality and thus criminality itself were changeable; the criminal nature, however organic in itself, remained ever the same.

Since then this new school, arising in Italy, has extended over the whole world and has continued to win followers. It has led to a progressive continuation of all the investigations hitherto made in the field of the exact sciences in their application to penal law and sociology and it has grown to be the science of the criminal man. In this respect it is indeed not the creation of a single individual, yet it is so intimately connected with the name of Lombroso that no one can dispute his right to be considered the godfather of criminal anthropology. His mistakes were great, but only by passing through the errors of the psychiatrist of Turin was criminal anthropology able to produce the results on which we stand to-day. This does not mean that we have outgrown Lombroso, as many judges, lawyers and medical men loftily declare. On entering more fully into the subject we shall see that most of these men are either wholly or partly ignorant of the doctrine whose value they deny. Lombroso was unfortunately one of the great men of the nineteenth century whose names were familiar to everyone, who were read by many but studied by comparatively few. The ideas that the layman in criminology associated with him included probably scarcely more than his "born criminal" and his "theory of genius," according to which genius would be a thoroughly pathological figure.

Lombroso's hypothesis of the "delinquente nato," the "born criminal," affirms that all true criminals have a number of causal connected characteristics: physical characteristics that can be shown anthropologically, and psychic characteristics that can be shown psycho-physiologically, which mark them as an individual type of mankind. From this type are recruited, quite independently of social and individual conditions, the discovered and the undiscovered criminals. Not that acquired qualities and social influences cannot also drive a person of this type to crime for Lombroso himself admits the existence of criminals of passion, of opportunity and of habit.

The nature and the propagation of certain crimes he explains by atavism. The mental and physical characteristics of savages are found again in criminals. The most horrible crimes are caused by

a condition based on criminal impulses, which may be dulled in man by education or fear of punishment, but which suddenly break out again under the influence of disease, passion, bad example, and the like. Atavism also explains why punishment is ineffective. Crime appears as an instinct of nature—philosophers would say a necessity—like birth, death, insanity; of which it is a sad variety.

Lombroso sought and found the actions which we designate as criminal in the plant and animal worlds. Renan had already declared that nature sets an example of adamant pitilessness and immorality. Insect-eating plants “commit real murders.” In the animal world there are numerous cases of slaughter and torture in order to obtain food, the leadership of the group, possession of the females, as a means of defense (the bee); out of avarice (the ant), or love of fighting (the cricket, the ant), etc. Lombroso finds also other equivalents of our crime in the animal world; for instance, innate malice with anomaly of the skull; slaughter out of aversion; the unpleasant peculiarities of old age; fits of madness; crimes committed in moments of passion or out of love or physical pain; adultery, crimes caused by overpopulation. He finds bands of evil-doers among animals, fraud and thieving, and even criminal physiognomies; for instance, the gray, bloodshot eye of the tiger and hyena, the hooked beak of the birds of prey, their large eye sockets and sexual perversity. “In view of these facts how can one fail to come to the conclusion that crime in its rudimentary expressions is bound to organic conditions and is one of their direct effects? This is absolutely confirmed when we study crime and prostitution among savages.”

With atavism is closely connected the question of inheritability, which again acquires new importance in the light of the theory of evolution. Living beings take their forms and functions not only from their direct antecedents of their own kind, but from much further back, from the whole stock of the species, from the family, the class, etc. That this is one of the sorest points of Lombroso’s theory is easily understood, for, on the question of inheritability, men of science, even to-day, are far from being united. Thus, for instance, the question whether acquired qualities can be inherited is affirmed by Darwin and Haeckel, and denied by Weismann. Forel contradicts Darwin’s theory of pan-genesis, and the most modern scholars in particular support him.

Out of the theory of inheritability Lombroso develops his famous external characteristics of the criminal, particularly the so-

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called "marks of degeneration." Since Morel first mentioned these marks of degeneration in his celebrated book, "Dégénérescence de l'espèce humaine," innumerable writings have appeared for and against, and a mass of facts has been collected which prove this much, that the marks frequently contradict one another and that many a one has lost its original significance. One fact issues clearly out of this controversy: that all such anomalies are found more frequently in criminals than in others. Degeneration arises in procreation. Diseased nervous parents beget children bearing marks of degeneration, paralleled by inferiority of the nervous system and particularly of the brain. Marro had already designated certain criminal marks as atavistic in character (*I Carretteri dei Delinquenti*, 1887), because, though subject to variability, they are the marks which distinguish man from the anthropoid ape. They appear chiefly in the brain and skull and are more or less connected with the development of the brain, or are noticeable in the jaw and teeth. Among them belong prognathia; that is, the prominence of the lower part of the face, showing a lesser development of the brain, and the accompanying receding forehead. Prognathia and receding forehead, approaching the type of the anthropoids, are recognized by the Lombroso school as marks of the criminal type. The craniometrical studies of Lombroso and his followers aim at determining the mental and moral qualities of an individual by the external form of the head, the parts of which are measured for this purpose (craniometry). The size and proportions of the skull admit of an almost certain conclusion, according to Lombroso, of the volume of the brain, the size of which is parallel to the mental development. According to the kind of crime the capacity of the brain varies, being, for instance, greater in murderers than in thieves. The medium average capacity, too, is smaller in criminals than in normal men. All anomalies, however, octoporosis, plagioccephaly, the "Worm" bone, etc., are more frequent in male than in female criminals. "The study of these anomalies brings us to the conclusion that the criminal is much nearer the inferior races than is the insane man." "Here we have a man who, either because of arrested development or of disease, particularly of the brain centres, present even before birth, has been forced into an abnormal condition bordering on that of the insane—in a word, a chronically ill man."

Among the other "varieties of the rudimentary organs" those of the external ear take the first place. There are the so-called "handle" ears, the "Morel" ears with flattened or missing helix, ears

with the lobes lacking, very small and very large ears. With the public at large particularly these theories of Lombroso about the ear have attracted the greatest attention, so much so that for a time it was not exactly pleasant to be the possessor of earlobes which grew to the side of the head, or worse, "handle" ears. Kurella, who so often elucidated and defended his master, therefore explained that of course no one would steal silver spoons because he happened to have "handle" ears, but that undoubtedly that form of ear indicated peculiarities of the whole organism out of which anomalies of feeling and will arise. And in this lies its significance. We must not see in it the mark of degeneration itself, but rather the outward sign of an inner malformation of the brain. There is a deduction to be drawn from the outward anomaly of form of the inner one, from the visible of the invisible, from the perversion of the organ of a variation in its functions. In this then lies the nature and the value of the mark of degeneration; that where it is found singly it is without import but present in numbers, as it is in the criminal, it deserves full attention.

Other varieties, particularly those of sexual character, are the female form of the breast, in male criminals, broad hips, scanty or missing beard accompanied by thick hair on the head. The so-called multiple organs incline to variation in number as well as structure. Thus, for example, we find a difference in the number of vertebræ. Then there is polydactyl, with the doubling of a finger joint, strongly developed web skin between the fingers, unusually long and narrow or enormously broad hands. It would take us too far to enter into Lombroso's investigations of the weight of the brain, the weight and size of the body, the complexion, etc.

As to the value of the signs of degeneration mentioned here, Lombroso and his school were not for a moment in doubt. "Degeneration is a reaction, from various external and internal irritations, which differs greatly from the normal and disturbs or even injures the individual and his surroundings," says Naecke. "What speaks emphatically against Lombroso's theory, however," says Wulffen, "is that degeneration in itself is no disease, but merely shows an abnormal condition which, it must be admitted, easily leads to real disease." It is, however, of a pathological nature, in contrast to what is simply abnormal. Moreover, degeneration is inborn. The best division is that of anatomical, physiological and social signs of degeneration, and we include everything that decidedly exceeds the breadth of vibration of normal forms or qualities. The external

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stigmas of degeneration alone, however, do not tell us a great deal. They are merely a signal, a challenge to examine the individual more closely.

In any case it is quite unproven that our race, as the loud-tongued Nordau and over-enthusiastic Lombroso think, is in the clutches of increasing degeneration. It is by no means certain that all mental and nervous diseases, suicides and crimes are increasing in number. It is easier and surer for us to-day to diagnose degeneration; that is all. Wulffen and many others are also of the opinion that it is more than doubtful that the criminal mind of our day has grown worse. One might rather believe the contrary. "Besides, the great laws of nature are only to be recognized in dealing with large numbers and the few decades of our degeneration statistics easily disappear when we are concerned with the laws of eons." Those who are interested in the subject should read the works of Plotz, Talbot, Marro, Necke, Ribot and Galton, and they will no longer look so gloomily at the coming thousands of years.

According to Lombroso the criminal of habit stands nearest to the born criminal, yet he is almost without anomalies and hereditary vices, even without an evil disposition in early youth. In consequence of a neglected upbringing, however, he does not gain the strength to overcome the naturally bad qualities of the child, developing them perhaps till habit makes him a criminal. His surroundings do their part, for they include alcohol, lewdness, the encouragement to imitate through the "unfortunate publicity of the criminal court," by the press, the term in prison, etc. Thus the crime, for which no special ground is prepared, but merely the ground in the being of the child, becomes by repetition habit.

Beside the born and the habitual criminal stand the criminal of passion and the criminal of opportunity. Women are oftener concerned in crimes of passion than men, for the commonest motive is disappointed love (Lombroso and Ferrero: "Woman as a Criminal and Prostitute"). Passions that lead to crime are nearly always born quickly and suddenly out of deeper-lying feelings. The criminal of passion seldom denies his crime and in fact is often proud of it. He also lacks caution and is not cunning. He is therefore probably most susceptible to improvement.

The criminal of opportunity, too, shows but few external signs and belongs to the "criminoloids," that is, "to those who are so disposed that a chance, an opportunity carries them away into crime." In him lack of pity and obtuseness of feeling are much rarer than

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sudden impulses. In general it can be said that he is not so religious as, for instance, the criminal of passion. He regards his crime lightly and confesses easily. He is generally recruited from the business world. In connection with this type Lombroso develops his theory of the "epileptic impulse" which has found so many opponents. According to him epilepsy is not much else than a highly strung normal function of the nerves, so that some epileptics would appear to be merely highly strung impulsive natures. The convulsions, the hallucinations, the terror, the fury, the congestion, the foaming at the mouth and confused speech of the epileptic correspond to the movements, the feelings, the emotions, the blushes, the tears and the judgment of the healthy man.

As the last stone in his edifice of criminals Lombroso finally places the "secret criminal." With him belongs the born criminal as well as the criminal of opportunity. Secret criminals generally succeed in avoiding prison. They are persons of wrong character and wrong actions, certain protégés of society, usurers and prostitutes, certain political criminals whom politics serve "as a veneer to cover their criminal intent." Criminality is latent in them, but some outside activity—prostitution, underhand commercial transactions, political life—absorbs it. They might be called "protected" criminals, because the law, or better, society, does not allow them to be punished.

A large part of Lombroso's life work is taken up, of course, with the biology of crime; his partly fundamental investigations of sensibility to pain in thieves, swindlers and murderers, his hypothesis of the left-handedness of criminals, who apparently work with the right, instead of, like the normal man, with the left side of the brain. Lombroso reckoned the hypothesis of the left-handedness of criminals and their liking for tattooing among his strongest arguments in favor of atavism. As a matter of fact the American scientist, Daniel G. Brinton, has proved by the stone utensils of former natives of America that about 33 per cent were left-handed. Among 90 thieves Dr. Wey found the proportion to be 15 per cent. In the Book of Judges (xx: 15, 16), 700 of the 2,700 children of Benjamin who go forth against Israel are picked out as left-handed. It appears rather as if in ancient times left-handedness was considered a virtue, something to be desired, and many scientists are therefore unable to understand how it should suddenly become a criminal mark. It is similar with tattooing, which Lombroso advanced in support of his assertion of the criminal's deficient sensibility to pain. He did

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not yet know that tattooing sometimes becomes a ridiculous, tyrannical fashion—as for instance among the English sailors of the eighteenth century, when the authorities were obliged to interfere and forbid it. Curiosity and imitativeness seem to be more responsible for tattooing than criminal instincts. Lombroso's studies of the criminal's feelings have certainly become a model for the whole of modern criminology, and his theory that the criminal's pity for others dies because he has no feeling for his own suffering is very well known. Of course even the criminal is not without all feeling. His sympathy for animals is familiar to everyone and often plays a part in detective stories. Many people have heard the story of the murderer in prison who killed his jailer because the latter took from him a mouse he had been at great trouble to tame, and the name of that Italian murderer who, before leaving the scene of his crime, fed his victim's canary bird, has become almost immortal.

For the criminal's vanity and pride, which lead him into the most incomprehensible recklessness, Lombroso also found a scientific basis. The criminal's inclination to tell his tale in speech and in writing grows out of these common human weaknesses. He "inclines" to autobiography, which again throws an interesting light on his psychic life and gives so much material to the graphologists. The innumerable inscriptions on prison walls, poems, pleadings, bursts of fury, scraps of autobiography, were of much use to Lombroso in studying the intelligence of criminals and confirm his view that in general it is lower than in normal men. Their innate lack of energy, their laziness prevents the development of their intellect, from their school days. "Their greatest defect is their incredible carelessness and their lack of continuity." "The criminal is unable to think or act logically." "Even if he succeeds in properly joining several links together, at the end the whole chain is never complete." Details, tests rather of cunning than of intellect, impress us and make us over-value the criminal's intelligence. The single deed placed in its surroundings, in the criminal's life, has generally more than one foolish side. It need not surprise us that with practice the specialist acquires a certain skill, even with inferior intelligence. Lombroso's thesis that the criminal "is a child" is well known. According to him germs of moral insanity and criminal instincts are found in every child during its earliest years, not as an exception but as the normal condition, "so that the child, lacking moral sense, would represent what alienists call a "morally insane person," we, "a born criminal." Even a very little child shows vindictiveness,

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jealousy, envy, untruthfulness and, above all, cruelty. "Cet âge est sans pitié" (Lafontaine). It inclines to laziness and idleness. Lombroso often compares children with savages and concludes from his examinations of youthful criminals that that moral anomaly, which in a grown person is called crime, is more frequent among children, accompanied by marks of degeneration and particularly under the influence of a hereditary disposition. It may, of course, disappear if the child is properly brought up, otherwise the comparatively rare appearance of criminal dispositions among grown people would be inexplicable.

No review of the life work of the great psychiater of Turin would even approach completeness without some mention of his profound and still highly interesting studies of "woman as a criminal and prostitute." His statement that the sensibility of women is inferior to that of men created sensation enough and in spite of all the ridicule and scorn with which it was met it has never been successfully entirely disproved. Lombroso's experiments in this direction included touch, taste, smell, hearing and sight. Women's preference for strong scents, for instance, is to be explained only by the fact that they do not smell as keenly and therefore endure strong odors better. Their sexual sensibility, too, is not so great as men's. Not their erotic nature but their maternal instinct leads women to marry. Among criminals and savages the females are almost as cruel as the males, but this cruelty is a consequence not only of their weakness but also of their deficient sensibility to pain. Compared to that of men the morality of women is also inferior. They know only one honor, honor of sex. This inferior morality, too, comes from their lesser sensibility and intelligence, for also in the latter respect women are inferior. The highest plane of intelligence, genius, is completely lacking among women. They have no creative power and show lack of originality. On the other hand they grasp the mental physiognomy of their surroundings very quickly. "As since the beginnings of mankind women have existed under almost unchanged conditions of life, their adaptability to these conditions has become entirely automatic." Logic is only poorly developed in them, as in children and savages, as is also their synthetic and analytic ability—in a word, their power of abstract thought.

The criminal type, under which Lombroso understands an individual with four or more marks of degeneration, is rarer among women than men criminals. The prostitute alone bears the true type much more frequently. The "born" woman criminal is characterized

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as follows: "Through her strong sexual instinct, her deficient maternal feeling, her pleasure in a vagrant life, her intelligence and ability to rule weaker individuals by suggestion, her preference for manly sport, for male vices, often even for men's clothes, she embodies sometimes one, sometimes another quality of men. Combined with these male characteristics are the worst qualities of female nature: vindictiveness, cunning, cruelty, vanity, untruthfulness, all together frequently form a picture of the utmost depravity."

Lombroso was the first to reckon the prostitute among the typical criminals. As has been mentioned, he found in her all the anthropological marks and also the same tattooings, the same jargon (see Lombroso's works on the jargon of criminals, prison palimpsests, etc.), the same psychic peculiarities as in criminals. He was also among the first to point out the sexual frigidity of the "born" prostitute in contrast to the strongly developed sexual instinct of other female criminals. He finds the origin of prostitution not in sensuality, but in "ethical idiocy," "which of course does not exclude certain one-sided talents, even of a very high order." His elucidation of the connection between prostitution and all other kinds of crime will always remain a masterpiece.

As we mentioned at the beginning, Lombroso's doctrine called forth the criticism of numerous men of science—lawyers as well as physicians—and whoever is interested in the attitude of all the schools of criminology toward it might read with advantage the works of the Dutchman, Bonger, and the German, Wulffen. Those Italians have remained truest to it who, with the Portuguese, J. Mendes Martins, the German, Kurella, and a few young Frenchmen, like Falmet, Magnan and Fétré, in discussing the origin of mental degeneration, lay the greatest weight on hereditary traits which burden certain families, like the fate of the ancients, and show their power particularly in affections of the nerves. Those who suffer under them form the "neuropathic family," which is in no way different from the other pathological groups. Fétré even believes that the whole distinction between vice, crime and insanity rests solely on social prejudices. Two modern Italians, Tanzi and Riva, explain crime as resulting from a disturbance of the imagination which consists in exaggerated subjectivism. This exaggeration affects the relations of the individual to the outside world, including the social world, throughout. The standard of the ego becomes deceptive and useless because it falsifies everything: the ego-centric consideration is therefore the original disturbance. This exaggeration of sub-

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jectivism is regarded as a step backward, that is, simply as a symptom of atavism. The whole historic and prehistoric period is sharply divided, according to De Mattos and Riva, from the preceding and following periods, mainly by an accumulation of feelings, ideas, customs and principles which comprise the moral and intellectual supremacy of humanity. "In other words," says Wulffen, "the ego consists of deposits of feelings and ideas, the first and lowest layer of which is composed of instinctive elements; whereas the higher ones rest on later and fresher perceptions. In the struggle of life the newer ones connected with our upbringing and experience, generally win. Sometimes, however, the primitive character is victorious and the resultant deed is contrary to the general law of ethics. This return to old forms and ideas can only be explained by the retention, by hereditary means, of old conditions of life and primitive impulses." We see by following these lines of thought that Lombroso's atavism takes on another aspect, but certainly there, too, it is admitted that the predisposition is to be sought in degeneration and consequently in hereditary traits, whereas the social influence is the cause of the opportunity.

The German, indeed the whole Northern school of criminology, is more radical in rejecting Lombroso. Baer, for instance, denies the existence of a criminal type in the anthropological sense, "because every natural scientific proof is lacking if, with Virchow, we call that typical that has been propagated by hereditary means for a long time and has become a general rule. If in certain families the principles of honor, etc., are continually trodden underfoot, following generations may show besides a disposition to crime, also certain bodily peculiarities. But these are merely family marks. With absolute decision, however, we must deny the possibility, even among the separate kinds of crime, of finding a certain type, constructed on an anatomic-morphological basis." This standpoint is shared, it is safe to say, by practically the whole group of German scholars to-day. Among others, Aschaffenburg, for instance, the most eminent German criminologist; Naecke, Bruno Stern, Wulffen and Jaeger agree with it.

The same fate was shared by Lombroso's view that the physical and mental lack of feeling in criminals was simply a return to the condition of the prehistoric man and the savage. "If the idiot, the criminal and the Australian negro greatly resemble one another it is because on the tree of the species man all the low branches touch one another." (Mantagazza.) "Brutal instincts have not disap-

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peared in any class of society." (Manouvrier.) The hypothesis that the criminal is nothing more than a child in his natural qualities is also rejected by the Germans. Taine, Darwin, Preyer, all teach how slowly, through what influences and in what marvelous ways moral feeling develops in early youth. "They show us," says Baer, "that moral feeling is not a quality of the soul which is already present somewhere in the central nervous system, but that it is, rather, the product of long and complicated mental work. If in certain traits the criminal reminds one of the child, they are yet by no means the same." Also the other psychic qualities which characterize the moral life of the born criminal are explained, particularly by Baer, on physiological, ethical and social grounds. "Is the lack of remorse, for example, a sign of a born criminal? Only very few people of the lowest classes are so strong morally that they are capable of genuine moral remorse and remorseful action." And where there is no remorse there is no conscience. This, too, is just as little innate as is moral law. Both correspond to the prevailing views of generations according to time and place. Conscience may be defined as the development of altruistic feelings in the individual. Kant designates it as the moral faculty of judgment which judges itself, and of moral faculty of judgment there is little enough in the criminal. If he possessed it he would be no criminal. Not that the born criminal is a "moral idiot." A morally defective man can never, according to Baer, be called insane if, in addition to criminal inclination, he does not show signs of mental disease. "There is no insane man who is characterized only by his criminal acts." Finally the identity of epilepsy and born criminality is denied. As epilepsy consists mainly of an irritation of a part of the brain and the discharge of the centres of this part, it is but natural to connect all the sudden, impulsive actions which are called crimes with epilepsy as a form of the same thing. According to Naecke, however, epilepsy is a product of a pathological condition, whereas crime is not. "Criminality and epilepsy have, however, this in common, that both may arise from the basis of degeneration; that is, that among the children of degenerate individuals there may be both epileptics and criminals." In Germany they have also become more and more skeptical regarding the marks of degeneration. It is not denied that the number of criminal individuals who bear such marks is very large, but they appear even more frequently among the insane, although they are by no means a regular accompaniment of mental disease. "There is not one such anomaly that is not found among perfectly

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respectable, honest people. Some anomalies appear so frequently that they might almost pass as normal." Asymmetry of the face is present in the Venus of Milo, as indeed it is in all people. It is the same with misshapen ears, etc., as has been said. One thing is certain, that even if the marks of degeneration are not so numerous as they often are, for instance, in common murderers, their possessor is nevertheless generally ugly. Ugliness is to be regarded as one of the most important marks of degeneration. According to Möbius it is an utterance of nature comprehensible to all and the most efficacious antidote for love. But to draw conclusions about the morality of a person from his appearance is to go too far, although among the old Romans there existed the saying, *a vultu vitium*, and in the Middle Ages the uglier person was punished in doubtful cases as the guilty one.

There is probably not a single statement of Lombroso's that has not met opposition. His latest leap into spiritism ("After Death —What?"), taken shortly before his death, called forth one of those storms of disgust to which the dear, genial old man had become so accustomed. Nevertheless, we may agree with his honest opponent, Gaupp, when he says that without Lombroso criminal psychology would never have received the impetus the fruits of which the present generation is reaping. "The intuitive investigator, rich in ideas, is a scientific figure in whom much light and shade are united; the genuine kernel of his doctrine will outlive the achievements of many of his harshest opponents."